SUPPLEMENTAL APPENDIX

A. Statutes:

Communications Act of 1934, as Amended, 48 Stat. 1064, 47 U.S.C. 151-609:

1. Section 154(h) provides in pertinent part as follows:

> Four members of the Commission shall continue a quorum thereof.

2. Section 308(a) provides in pertinent part as follows

> The Commission may grant construction permits and station licensees, or modifications or renewals thereof, only upon written application therefor received by it. . . .

3. Section 309 provides in pertinent part as follows:

> (a) Subject to the provisions of this section, the Commission shall determine, in the case of each application filed with it to which Section 308 applies, whether the public interest, convenience, and necessity will be served by the granting of such application, and, if the Commission, upon examination of such application and upon consideration of such other matters as the Commission may officially notice, shall find that the public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.
>
> (b) Except as provided in subsection (c) of this section, no such application—
>
> > (1) For an instrument of authorization in the case of a station in the broadcasting or common carrier services,
> >
> > * * *
> >
> > shall be granted by the Commission earlier than thirty days following issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereof.
>
> * * *

(c) * * *

(2) * * * If a substantial and material question of fact is presented or if the Commission for any reason is unable to find that grant of the application would be consistent with subsection (a), it shall proceed as provided in subsection (e).

(d) If, in the case of any application to which subsection (a) of this section applies, a substantial and material question of fact is presented or the Commission for any reason is unable to make the finding specified in such subsection, it shall formally designate the application for hearing on the ground or reasons then obtaining and shall forthwith notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally . . . . Any hearing subsequently held upon application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate . . . .

* * *

Administrative Procedure Act, as amended, 80 Stat. 381-388. 5 U.S.C. 551-559.

Section 557(c) provides in pertinent part as follows:

* * * All decisions . . . are a part of the record and shall include a statement of—

(1) Findings and conclusions, and the reasons or basis therefor, on all material issues of fact, law, or discretion presented on the record; and

(2) the appropriate rule, order, sanction, relief or denial thereof.

Rules and Regulations of the Federal Communications Commission 47 CFR:

Section 1.282; 47 CFR 1.282, provides as follows:

(a) After opportunity has been afforded for the filing of proposed findings of fact and conclusions, excep-

tions, supporting statements, briefs, and for the holding of oral argument as provided in this subpart, the Commission will issue a final decision in each case in which an initial decisions has not become final.

(b) The final decision shall contain:

(1) Findings of fact and conclusions, as well as the reasons or basis therefor, upon all material issues of fact, law or discretion presented on the record;

(2) ruling on each relevant and material exception filed; and

(3) the appropriate rule or order and the sanction, relief or denial thereof.